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09/992,240	11/06/2001	Robin Mackay	9268.00	5477

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EXAMINER

NGUYEN, TU X

ART UNIT	PAPER NUMBER
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2684

9

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/992,240

Applicant(s)

MACKAY, ROBIN

Examiner

Tu X Nguyen

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10, 13-20 and 24, are rejected under 35 U.S.C. 102(e) as being anticipated by Kim (US Patent 6,546,002).

Regarding claim 1, Kim discloses a method of sharing consumer information between consumers via a communications network (see col.4 lines 10-16) that comprises a data store accessible by a plurality of terminals (see 140, fig. 13,14) each associated with a respective consumer, the method comprising:

a providing consumer entering (see col.8 lines 6-22, col.12 lines 55-64) information about a product, service or supplier into their terminal and uploading ( see col.11 line 49 through col.12 line 6, "transmit a request" corresponds to "uploading") that information to the data store;

classifying the entered information into channels, each channel relating to a particular consumer issue about the product, service or supplier (see col.12 lines 39-54, "event handler" corresponds to "channel relating to a particular consumer issue");

storing the classified information (see col.5 lines 55-66); and

storing a profile of a requesting consumer that identifies the channels corresponding to consumer issues of interest to the requesting consumer (see col.5 lines 55-66);

wherein the requesting consumer enters a request for information about the product, service or supplier into their terminal, and in response to the request, information is download to the requesting consumer if that information relates to the product, service or supplier and was classified into any of the channels defined by the requesting consumer's profile (see col.5 lines 55-66, col.11 line 44 through col.12 line 64 and col.16 lines 1-64).

Regarding claim 2, Kim discloses the requesting consumer's profile is stored on the network and is retrieved from storage in response to the request for information (see col.16 lines 1-19).

Regarding claim 3, Kim discloses providing to the requesting consumer a list of channels defined by the requesting consumer's profile that contain information on the product, service or supplier specified by the requesting user (see col.12 lines 55-65, col.15 lines 49-66).

Regarding claim 4, Kim discloses the requesting user chooses among the available channels before displaying the information on their terminal (see col.12 lines 55-65, col.15 lines 49-66).

Regarding claims 5 and 18, Kim discloses the providing consumer or their terminal classifies the entered information into channels (see col.12 lines 55-65, col.15 lines 44-66).

Regarding claims 6 and 9, Kim discloses providing consumer specifies the channel(s) into which information is to be input, and inputs information into the or each specified channel (see col.12 lines 55-65, col.15 lines 44-66).

Regarding claim 7, Kim discloses a method of sharing consumer information between consumers via a communications network that comprises a data store accessible by a plurality of terminals each associated with a respective consumer, the method comprising:

- a requesting (see col.12 lines 55-64) consumer entering into their terminal a request for information about a product, service or supplier and uploading that request to the network;

- identifying (see col.12 lines 39-54) the requesting consumer and recalling a stored profile that identifies channels corresponding to consumer issues of interest to the requesting consumer;

- retrieving (see col.8 lines 31-44) from the data store classified information about the product, service or supplier uploaded by a providing consumer to the data store; and

- downloading (see col.14 lines 39-67) the classified information to the requesting consumer if that information relates to the product, service or supplier and was classified into any of the channels defined by a stored profile that identifies channels corresponding to consumer issues of interest to the requesting consumer.

Regarding claim 8, Kim discloses a method of sharing consumer information between consumers via a communications network that comprises a data store

accessible by a plurality of terminals each associated with a respective consumer, the method comprising:

a providing (see col.12 lines 55-65, "user selects a menu item" corresponds to "providing consumer entering information") consumer entering information about a product, service or supplier into their terminal for uploading to the data store and classifying the information into channels in accordance with consumer issues of potential interest to a requesting consumer (see col.12 lines 39-55).

Regarding claim 10, Kim discloses a method of sharing consumer information between consumers via a communications network that comprises a data store accessible by a plurality of terminals each associated with a respective consumer, such that a providing consumer can enter information about a product, service or supplier into a first terminal and upload that information to the data store, and a requesting consumer can enter a request for information about the product, service or supplier and download that information from the data store (see col.3 line 65 through col.4 line 56), wherein the method comprising:

storing (see col.5 lines 55-65) the uploaded information classified into channels, each channel relating to a particular consumer issue about the product, service or supplier;

in response to a request for information, identifying the requesting consumer and recalling a profile that identifies the channels corresponding to consumer issues of interest to the requesting consumer (see col.12 lines 38-55); and

downloading the classified information to the requesting consumer if that information relates to the product, service or supplier and was classified into any of the channels defined by the profile (see col.14 lines 39-66).

Regarding claims 15-17, Kim discloses a system for sharing consumer information between consumers (see col.3 line 65 through col.4 line 56), the system comprising:

a communications network accessible by first and second terminals (see 140, fig.14) each associated with a respective consumer, such that a providing consumer can enter information about a product, service or supplier into a first terminal and upload that information to the network (see col.12 lines 55-65);

means for classifying (see col.12 lines 39-55) the entered information into channels, each channel relating to a particular consumer issue about the product, service or supplier;

a data store being part of the network (see col.5 lines 55-66 and col.12 lines 55-65) for storing the classified information; a second terminal for the requesting consumer to enter a request for information about the product, service or supplier;

means responsive to the request to recognize the requesting consumer and to recall a profile that identifies the channels corresponding to consumer issues of interest to the requesting consumer (see col.12 lines 39-55); and

a filter (see 1300, fig.3) responsive to the requesting consumer's profile, the filter being set to permit download of information to the requesting consumer if that

information relates to the product, service or supplier and was classified into any of the channels defined by the requesting consumer's profile (see col.14 lines 39-66).

Regarding claim 13, Kim discloses the requesting consumer bookmarks the product, service or supplier (see col.4 lines 5-10).

Regarding claim 14, Kim discloses information is downloaded to a different terminal to that into which the requesting user entered the request for information (see col.7 lines 10-29).

Regarding claim 19, Kim discloses everything as claim 1 above. More specifically, Kim discloses "responsive to a request for information to recognize the requesting consumer and to recall a profile that identifies the channels corresponding to consumer issues of interest to the requesting consumer (see col.12 lines 39-54).

Regarding claim 24, Kim discloses a terminal programmed to enable a providing consumer and a requesting consumer to share consumer information, the terminal comprising:

means for enabling the providing consumer to enter information about a product, service or supplier for uploading to a communications network (see col.4 lines 5-14);  
and

means for classifying the information into channels in accordance with consumer issues of potential interest to the requesting consumer (see col.12 lines 39-54).

Regarding claim 20, Kim discloses storing the requesting consumer's profile and retrieving the requesting consumer's profile from storage in response to the request for information (see col.5 lines 55-66).



***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-12, and 21-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Stern et al. (US Patent 2002/0174035).

Regarding claims 11-12 and 21-22, Kim fails to disclose a unique alphanumeric/code identifier associated with the product, service or supplier.

Stern et al. disclose a unique alphanumeric/code identifier associated with the product, service or supplier (see fig.6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kim with the above teaching of Stern et al. in order provide program code for facilitating the placement of an item for sale.

Regarding claim 23, the modified Kim discloses the uniquely coded identifier comprises a barcode or a RF tag (see Stern et al., par.0022).

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### Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is (703) 305-3427. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (703) 308-7749.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

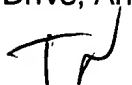
**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

  
April 7, 2004

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER